

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

Stanley L. Williams #165202)
(full name) (Register No.))

11-0987-CV-W-ODS-P

Plaintiff(s).

Case No. _____

v.

Daniel J. Pingelton)
(Full name))

Defendants are sued in their (check one):

☐ Individual Capacity

☒ Official Capacity

☐ Both

Defendant(s).

COMPLAINT UNDER THE CIVIL RIGHTS ACT OF 42 U.S.C. § 1983

I. Place of present confinement of plaintiff(s): W.M.C.C.

II. Parties to this civil action:

Please give your commitment name and any another name(s) you have used while incarcerated.

A. Plaintiff Stanley L. Williams Register No. #165202
Address 609 East Pence Road
Cameron, MO. 64429

B. Defendant Pingelton Law Firm The Guar Building 28 North
8th Street Suite 402 Columbia Missouri 65201
Is employed as Attorney for post conviction motion and
Judgment work

For additional plaintiffs or defendants, provide above information in same format on a separate page.

- III. Do your claims involve medical treatment? Yes _____ No ☒
- IV. Do you request a jury trial? Yes ☒ No _____
- V. Do you request money damages? Yes ☒ No _____
- State the amount claimed? \$ 475,000,000 / 475,000,000 actual/punitive)

VI. Are the wrongs alleged in your complaint continuing to occur? Yes ☒ No _____

VII. Grievance procedures: N/A

A. Does your institution have an administrative or grievance procedure?

N/A

Yes _____ No _____

B. Have the claims in this case been presented through an administrative or grievance procedure within the institution?

N/A

Yes _____ No _____

C. If a grievance was filed, state the date your claims were presented, how they were presented, and the result of that procedure. (Attach a copy of the final result.)

N/A

D. If you have not filed a grievance, state the reasons.

N/A

VIII. Previous civil actions:

A. Have you begun other cases in state or federal courts dealing with the same facts involved in this case?

Yes ☒ No _____

B. Have you begun other cases in state or federal courts relating to the conditions of or treatment while incarcerated?

Yes ☒ No _____

C. If your answer is "Yes," to either of the above questions, provide the following information for each case.

(1) Style: Stanley L. Williams Daniel J. Pingleton
(Plaintiff) (Defendant)

(2) Date filed: 04/26/10 W.D. 69408 10/21/08

- (3) Court where filed: Federal Courts State Courts Boone County Court
CASE NO: 06BA-CV05298
(4) Case Number and citation: 10-0031-CV-W-ODS-P W.D. 69408
(5) Basic claim made: N/A
(6) Date of disposition: N/A
(7) Disposition: N/A
(Pending) (on appeal) (resolved)
(8) If resolved, state whether for: N/A
(Plaintiff or Defendant)

For additional cases, provide the above information in the same format on a separate page.

IX. Statement of claim:

- A. State here as briefly as possible the facts of your claim. Describe how each named defendant is involved. Include the names of other persons involved, dates and places. Describe specifically the injuries incurred. Do not give legal arguments or cite cases or statutes. You may do that in Item "B" below. If you allege related claims, number and set forth each claim in a separate paragraph. Use as much space as you need to state the facts. Attach extra sheets, if necessary. Unrelated separate claims should be raised in a separate civil action.

"SEE Attachment"

- B. State briefly your legal theory or cite appropriate authority:

Smith V. Bacon Eighth Circuit 699 F2d 434 436 437 438 US.

1983 US App 30626

Costa VS. ALLEN 323 S.W. 3d 383 385 386 387 389 2010 (mo App).

GONZALEZ VS. Lopez 548 US. 190 194 145 146 147 148 126 S.Ct
2557 (2006).

IX. Statement of Claim:

INTENTIONAL Breach of Contract

Plaintiff Mr. Stanley Williams, Employed, Mr. Daniel J. Pingelton ON 9-25-03, IN CONNECTION WITH Plaintiff post conviction motion AND Judgment work ON 9-25-03, Plaintiff entered into a contract With Pingelton for a total cash amount of \$3,000, That at all times MENTIONED, Defendant was contracted for the sole purposes of preparation AND presentation of Plaintiff, Mr. Stanley Williams, AMENDED motion to Disqualify Original trial Judge and request an Evidentiary hearing Under Case Number 02-CV-211272. That cause and action was pending At that time in Jackson County Circuit Court house before the Original Trial Judge, John R. O'Malley. The contract also included ONE-ON-ONE CONSULTATION with Plaintiff, INSTEAD Defendant accepted for filing The Public defender Ms. Sarah W. Patel's AMENDED motion, without Plaintiff Mr. Stanley Williams, Authorization and/or CONSENT. Defendant after accepting the payment, IN full, Either could not OR would not fully perform all obligations requested under the contract. Defendant has refused to repay the \$3,000, That was due and owing Under terms of the Contract,

Breach of his fiduciary duty

ON 01-Sept-03 Defendant contacted Plaintiff, Through the "mail." AND Advised Plaintiff that he would come to Moberly Correctional Center to Consult with Plaintiff, Mr. Williams the gist of any additional Grounds for the amended motion and "re case plan." ON 08-Oct-03 Defendant allegedly ~~entered~~ his appearance through the "mail." ON 06-Oct-03, Defendant AND Sarah W. Patel Defendant at all Times mentioned herein very specifically Advised Plaintiff of his Reasonable belief in the validity of the grounds that Plaintiff Mr. Williams desired to have "Raised." IN his first amended motion AS well as his stated intentions to file the additional motion To disqualify Original trial Judge, Inter alia. Not only did defendant NOT "Raise" ANY of Plaintiff requested claims He did NOT file any of the most basic of motion.

IN Plaintiff post conviction relief motion, AS demonstrated
IN the proceeding under this fraud section these representations
were false and fraudulent, BECAUSE Defendant either could not or
would not file the Original first amended motion request
Disqualification of the trial Judge and/or request an continuance
To assure that he had enough time to execute his duties.

Defendant knew that his representations were false and made them
for the purpose of inducing Plaintiff's to enter into the contract,
Plaintiff's relied on Defendant representations when we paid his
fee, \$3,000 IN Cash, AND was damaged as a result therefore,

The Defendant, Attorney, carelessness directly caused Plaintiff
Mr. Williams, Harm as a proximate cause of his failure to act
Plaintiff Mr. Williams suffered for 8 yrs, Substantial loss and
Disadvantage the Defendant failed to take any action on.

my behalf and Plaintiff won a Non binding arbitration against
The Defendant for the recovery of Plaintiff \$3,000 with the
Missouri Bar Fee Dispute Resolution Committee on 3-31-05, file No.
04.071. Enforcement of arbitration Award. ANY decision rendered
may be enforced by a court of competent Jurisdiction in accordance
with the provisions of Chapter 435, R.S.M.O. However, The arbitration
Award will not be binding without the prior written consent
of all parties.

It may be Necessary to consult a lawyer for advice on how to
proceed to collect the arbitration award should that become
Necessary. SEE Plaintiff Exhibits)

X. Relief: State briefly exactly what you want the court to do for you. Make no legal arguments.
Plaintiff is asking the Court for a hearing to appear personally
In a Civil proceeding is whether there are any reasonable alternative means
by which the Plaintiff may be heard and thus obtain meaningful access to the courts

XI. Counsel:

A. If someone other than a lawyer is assisting you in preparing this case, state the person's name. N/A

B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action? Yes ___ No ✓

If your answer is "Yes," state the names(s) and address(es) of each lawyer contacted.

N/A

C. Have you previously had a lawyer representing you in a civil action in this court?

Yes ___ No ✓

If your answer is "Yes," state the name and address of the lawyer.

N/A

I declare under penalty of perjury that the foregoing is true and correct.

Executed (signed) this 22 day of September 2011.

Stanley L Williams
Signature(s) of Plaintiff(s)

This correspondence is from an inmate in the custody of the Missouri Department of Corrections. The Department is not responsible for the content of this correspondence. For information about the Department, visit our website at www.doc.mo.gov.

*Mr. Stanley Williams
#1652023-89183
Western Missouri Correctional Center
609 East Pense Rd.
Cameron, Missouri 64429*

MAILED FROM:
WESTERN MISSOURI
CORRECTIONAL CENTER

Legal Mail



*U.S. District Court
Office of the Clerk: 1516 Whittaker
Court House
400 E. Ninth Street
Kansas City, Mo. 64106*